

REMARKS

Applicant requests reconsideration and further examination of this application.

Applicants have withdrawn (actually, cancelling these claims to work towards moving the case ahead to allowance) Claims 1 - 30 in response to the election of Group, claims 31 - 39.

Also, Applicants cancel Claim 32.

Applicants have amended Claim 31 to newly recite that:

1. The method is makes a granular fluid treatment media;
2. The binder material has a melt index of less than or equal to 1g/10 min;
3. That the method forms a plurality of separate granules for use as a fluid treatment media;
4. No solid support material other than binder is included in the mixture; and
5. The method of making said granular fluid treatment media comprises no compression of the mixture.

Support for these amendments are in the original specification, for example, on page 1 in the first line of the first paragraph of the Field of the Invention; on page 4 in the brief descriptions of Figures 3A and 3B; in the first sentence of the Detailed Description; in Figures 2, 3A, 3B, and in the Abstract, where it is clear from the multiple, non-connected granules in each drawing that the granules are separate and not bonded together. Further, the term “granular media” has long been a well-known term of filtration art meaning a non-self-supporting media made of many separate granules, as opposed to a self-supporting unitary, monolithic filter block. Support for the melt index of less than or equal to 1 g/ 10 min is in the original specification and in the original Claims, for example, in original Claim 2. Support for the granules comprising no solid support material other than binder may be found in the original specification, the original Claims (for example, in original Claim 24.), and the original Abstract. No new matter has been added.

Respectfully, Applicants assert that the above amendments make the amended claims allowable over the cited 35 U.S.C. Section 102(e) and Section 103(a) references, because no single reference contains all of the claimed elements, and it is not obvious, in view of the teachings of the references, to modify their teachings to arrive at Applicants' claimed granular media, made from only binder and material active for fluid treatment, wherein the binder has such low melt index and the method does not comprise compression of the mixture of binder and active material.

The Cited References Do Not Suggest Applicants' Amended Claims

Kelly specifically teaches methods of making solid, unitary filter blocks, not granular media. *Kelly* teaches that compression is required in order to achieve the disclosed solid, self-supporting blocks. See, for example, the *Kelly* Abstract, Summary of the Invention (column 2, lines 20 - 66), column 3, lines 14 - 28 ("The heated mixture is then compacted, such as by applying moderate pressure, to increase particle contact. . . to provide a unitary porous absorbent bed within the container"), and column 6, lines 35 and 36 ("free-standing molded structure"). Applicants' invention, on the other hand, is concerned with granular media, which is by definition non-self-supporting and which is purposely made without molding and without compression.

Applicants' invention as claimed is novel and unobvious, as it is surprising; it goes against the teachings of the prior art to make a granular media from only binder and active material without any other support and it is surprising to make said granular media with such a low melt index and with no compression. None of the prior art teaches these starting materials (binder and active material) and this combination of steps to make a granular media.

If *Kelly* were combined with the granular media of *Lisenko*, one would not arrive at Applicants' claimed invention. Even if one combined the binder melt index of *Kelly* with *Lisenko*, you would still arrive at a three-part granular media, having a non-binder solid support

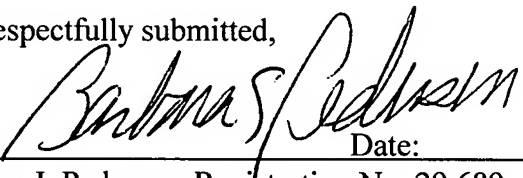
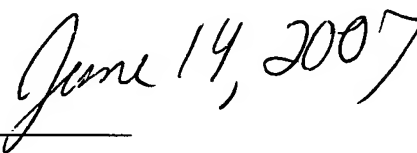
core, an active component, and a binder connecting the active component to the non-binder solid support core.

Further regarding the claims of Serial Number 10/396,296 Claims 31 - 39: Claims 31 - 39 have been cancelled from Serial Number 10.396,296, so Applicants' believe this rejection is moot.

Applicant requests an Extension of Time to file this Response, and requests that the fees for the Extension be withdrawn from the undersigned's Deposit Account, as detailed in the cover letter accompanying this Response.

Applicants now believe the application is in condition for allowance and respectfully request the same.

Respectfully submitted,

 
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